

Case No. 5:25-CV-00287-M

*Co.*, 275 F.3d 384, 388 (4th Cir. 2001); *see also Davis v. USX Corp.*, 819 F.2d 1270, 1273 (4th Cir. 1987) (“The purpose of Rule 41(a)(2) is freely to allow voluntary dismissals unless the parties will be unfairly prejudiced.”).

Here, AT&T Inc. has filed a motion to dismiss Plaintiff’s claims against it (DE 15, 16), which remains pending, and the company has proffered no argument concerning whether it will suffer prejudice under these circumstances<sup>2</sup> and the court discerns none. Accordingly, Plaintiff’s claims against AT&T Inc. are DISMISSED WITHOUT PREJUDICE, and the Clerk of the Court is directed to remove AT&T Inc. from the caption of this case. The pending Motion to Dismiss [DE 15, 16] is DENIED as moot.

SO ORDERED this 17<sup>th</sup> day of July, 2025.

A handwritten signature in blue ink, reading "Richard E. Myers II", is written over a horizontal line.

RICHARD E. MYERS II  
CHIEF UNITED STATES DISTRICT JUDGE

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<sup>2</sup> Therefore, the court need not consider factors that “may bear on whether the defendant will suffer legal prejudice by a dismissal.” *See Tingling v. OCAHO*, No. 21-1945, 2023 WL 3221738, at \*2 (4th Cir. May 3, 2023); *Fid. Bank PLC v. N. Fox Shipping N.V.*, 242 F. App’x 84, 89 (4th Cir. 2007).